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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,869	09/19/2003	Timo Tokkonen	KOLS.052PA	6759

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EXAMINER
NGUYEN, KEVIN M

ART UNIT	PAPER NUMBER
2629	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/20/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

PTOL-90A (Rev. 10/06)

	Application No.	Applicant(s)
Office Action Summary	10/665,869	TOKKONEN, TIMO
	Examiner	Art Unit	
	Kevin M. Nguyen	2629	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>05 January 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-6 and 8-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-6 and 8-21* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>19 September 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All b) ☐ Some * c) ☐ None of:

        1. ☒ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Arguments

1.   Response to applicant's amendment/argument filed on 1/5/2007, claims 1, 8, 9,

13 and 21 are amended, and claim 7 is cancelled. Applicant's arguments, see pages 6-

7, with respect to the amended claims 1-6 and 8-21 have been fully considered and are

not persuasive. The applicant amended independent claims 1, 13 and 21, and

dependent claim 8 and 9 necessitated new grounds of rejection based on Suzuki

(previously cited reference). The rejections of claims 1-6 and 8-21 are maintained.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by
> another filed in the United States before the invention by the applicant for patent or (2) a patent
> granted on an application for patent by another filed in the United States before the invention by the
> applicant for patent, except that an international application filed under the treaty defined in section
> 351(a) shall have the effects for purposes of this subsection of an application filed in the United States
> only if the international application designated the United States and was published under Article 21(2)
> of such treaty in the English language.

3.   Claims 1-6 and 10-21 are rejected under 35 U.S.C. 102(e) as being anticipated

by Suzuki (US 6,862,687).

4.   As to claim 1, Suzuki teaches a method of deactivating a lock state in an

electronic device *[a pen input portable terminal, fig. 1A]*, comprising a touch screen *[a

touch screen 14, fig. 1A]*, comprising:

        displaying more or more images on the touch screen when the device is in the

lock state, of which images one or more includes more than one predetermined point

[displaying an image 28 on said touch screen 14A with enhance security including two

predetermined points 28A and 28B, see Fig. 1B, col. 3, lines 50-58];

selecting one of the predetermined points, where an image includes more than

one predetermined point, as a point to be touched by means of a predetermined

parameter each time the image is displayed *(the user selects one of two predetermined*

points 28A and 28B on the password image 28 by the touch pen. The display position

and display size of the image be changed every periodically time occurring every day,

every week, or every month. Accordingly, every day, every week, or every month

corresponding to the predetermined parameter as recited in claim, col. 4, lines 7-8, col.

5, lines 48-49, and col. 8, lines 33-40);

detecting a touch on a predetermined point in one or more images *[the touch-*

sensitive screen detects/checks whether each of points predetermined on the images

has been designated by the touch pen, col. 5, lines 9-14];

deactivating the device lock state upon detection of a predetermined number of

touches on successive images including a predetermined point *[decrypting said images*

code by checking whether the location of designated points coincide with said points

28A and 28B, see col. 3, line 5 through col. 4 through col.5, line 33 for further details of

the explanation].

5.   As to claim 2, Suzuki further teaches selecting the image to be displayed from an

image database [said images A and B directed to retrieving/storing/displaying from the

computer 10 as described in fig. 1A, col. 3, lines 26-33].

6.   As to claim 3, Suzuki further teaches selecting the image to be displayed

randomly [the display position and display size of the image is changed randomly every

time, col. 4, lines 29-37, and col. 5, lines 54-58].

7.   As to claim 4, Suzuki teaches wherein information about the predetermined point

is coded in the image in advance [encrypting predetermined points of said images A

and B in advance, col. 5, lines 9-33].

8.   As to claim 5, Suzuki further teaches maintaining, in the device, an image

database from which the images are selected [the pen input portable terminal waits until

any points on the displayed image are designated by the touch pen, col. 5, lines 20-24].

9.   As to claim 6, as noting in col. 5, lines 2-14, Suzuki further discloses the claimed

features of these claims.

10.   As to claim 10, Suzuki further teaches comprising:

        reading the image from the image database [see col. 3, lines 26-33];

        reading information about the predetermined point in the image, displaying the

image on the display until a touch on the touch screen is detected or until a

predetermined period of time has elapsed, checking if a predetermined number of

touches on successive images including a predetermined point is detected [see col. 5,

lines 9-58], whereby the device lock is deactivated; otherwise, a new image is read from

the database [see further in col. 6, lines 1-63].

11.   As to claim 11, as noting in col. 4, lines 9-14, Suzuki further discloses the

claimed features of these claims.

12.   As to claim 12, as noting in col. 4, lines 9-14, Suzuki further discloses the

claimed features of these claims.

13.   As to **claim 13**, Suzuki further teaches an electronic device *[a pen input portable*

terminal, fig. 1A], configured to enter a lock state upon the fulfillment of a predetermined

condition, the device comprising:

        a touch screen [a touch panel 14, Fig. 1A];

        means for displaying one or more images on the touch screen when the device is

in the lock state, of which images one or more includes <u>more than</u> one predetermined

point *(a touch sensitive display device displays a password image 28 on a touch screen*

14A with enhance security including <u>two</u> predetermined points 28A and 28B, see Fig.

1B, col. 3, lines 50-58);

        <u>means for selecting one of the predetermined points, where an image includes</u>

<u>more than one predetermined point, as a point to be touched by means of a</u>

<u>predetermined parameter each time the image is displayed</u> *(the user utilizes the touch*

pen for selecting one of <u>two</u> predetermined points 28A and 28B on the password image

28 . The display position and display size of the image 28 be changed every periodically

time occurring every day, every week, or every month. Accordingly, every day, every

week, or every month corresponding to the predetermined parameter as recited in

claim, col. 4, lines 7-8, col. 5, lines 48-49, and col. 8, lines 33-40);

        detection means [the CPU 10] for detecting a touch on a predetermined point in

one or more images [see a second embodiment of figure 5 as described in col. 6, lines

1-64];

means for deactivating the device lock state upon detection of a predetermined number of touches on successive images including a predetermined point [see a second embodiment of figure 5 as described in col. 6, lines 1-64];

14.   As to claim 14, Suzuki further teaches wherein the device includes means for maintaining an image database, and selecting means for selecting the image to be displayed at each particular time from the image database [see figure 5, col. 6, lines 40-46].

15.   As to claim 15, Suzuki teaches wherein the selecting means are configured to select the image to be displayed at each particular time from the image database randomly [see col. 4, lines 29-37].

16.   As to claim 16, Suzuki teaches wherein the image database includes images, in which information about the predetermined point is coded in advance [see col. 5, lines 15-33].

17.   As to claim 17, Suzuki teaches wherein the device includes means for maintaining a database including information about the predetermined points in the images in the image database [see col. 5, lines 2-14].

18.   As to claim 18, Suzuki teaches wherein the touch screen [the touch-sensitive screen panel 14] is configured to transfer information about information about a touch on a predetermined point to the detection means [see col. 5, lines 2-14].

19.   As to claim 19, Suzuki teaches wherein the device comprises pointer means [the touch-sensitive screen panel 14] configured to transfer information about a touch on a

predetermined point to the detection means [the CPU 10, see col. 4, line 29 through

col.5, line 8].

20.   As to claim 20, Suzuki teaches wherein the pointer means is realized with a

touch-pad [the touch-sensitive screen panel 14, fig. 1A].

21.   As to **claim 21**, Suzuki teaches an electronic device configured to enter a lock

state upon the fulfillment of a predetermined condition, comprising:

a touch screen [a touch panel 14, Fig. 1A]; and a controller [a CPU 10]

configured to display one or more images [image 28] on the touch screen when the

device is in the lock state, of which images one or more includes more than one

predetermined point *(a touch sensitive display device displays a password image 28 on*

a touch screen 14A with enhance security including two predetermined points 28A and

28B, see Fig. 1B, col. 3, lines 50-58);

wherein the controller [the CPU 10] is further configured to select one of the

predetermined points, where an image includes more than one predetermined point, as

a point to be touched by means of a predetermined parameter each time the image is

displayed *(the user utilizes the touch pen for selecting one of two predetermined points*

28A and 28B on the password image 28 . The display position and display size of the

image 28 be changed every periodically time occurring every day, every week, or every

month. Accordingly, every day, every week, or every month corresponding to the

predetermined parameter as recited in claim, col. 4, lines 7-8, col. 5, lines 48-49, and

col. 8, lines 33-40); detect a touch on a predetermined point [28A and 28B] in one or

more images [A and B]; and to deactivate the device lock state upon detection of a

predetermined number of touches on successive images including a predetermined

point *see col. 3, line 5 through col. 4 through col.5, line 33 for further details of the*

explanation].

22.   Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Suzuki.

As to <u>claim 8</u>, a method as claimed in <u>claim 1</u>, wherein the predetermined

parameter is a date or a day of the week, whereas Suzuki further discloses display

positions and display size of the images is changed every time in *col. 4, lines 7-8, col. 5,*

lines 48-49, and col. 8, lines 33-40. Accordingly, the password image is changed

periodically time. Time is occurring in a day of a week, which corresponds to the

predetermined parameter as recited in claim.

As to <u>claim 9</u>, a method as claimed in <u>claim 1</u>, wherein the predetermined

parameter is a user ID registered as the user in the device before the transfer to the

lock state, whereas Suzuki at *col. 4, lines 7-8, col. 5, lines 48-49, and col. 8, lines 33-40,*

disclosing, before the user wants to register their desired points of the selected

password image, they must submit or show their ID/user ID to the security person in

order to register for locking their own electronic display device. Their ID/user ID

corresponds to the predetermined parameter as recited in claim.

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to update and change the password image including display

positions and display size periodically time that occurs during a day of a week. The

password image is a sensitive data containing in each flash image that sequentially

appears on the screen for a different period of time because would be helpful to enhance security, protect identify theft, and prevent unauthorized access to data and applications (col. 8, lines 32-40).

Response to Arguments

23.   Applicant's arguments filed 1/5/2007 have been fully considered but they are not persuasive.

The applicant argues with respect to independent **claims 1, 13 and 21** recited "selecting one of the predetermined points, where an image includes more than one predetermined point, as a point to be touched by means of <u>a predetermined parameter</u> each time the image is displayed." In response, the examiner respectfully disagrees. As stated *infra* with respect to **claims 1, 13 and 21**, the examiner finds that Suzuki at *col. 4, lines 7-8, col. 5, lines 48-49, and col. 8, lines 33-40*, disclosing *the user selects one checking points on image by the touch pen. The display position and display size of the image be periodically changed every time.* It is clearly to recognize that the password image including display positions and display size must be <u>updated and changed periodically time</u>. The password image must be changed every periodically time occurring every day, every week, or every month. Accordingly, every day, every week, or every month corresponding to the predetermined parameter as recited in claims 1 and 13. Furthermore, the updated/changed password image every periodically time is a sensitive data containing in each flash image sequentially appears on the screen for a different period of time which would be helpful to enhance security, protect data and prevent unauthorized access to data and applications, col. 8, lines 32-40.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., less than the **total** number of predetermined points) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

With respect to dependent claims 2-6, 9-12, and 14-20 (see remarks at page 6), applicant agues the dependent claims 2-6, 9-12, and 14-20 with the only emphasis of the recitation in the independent claims 1, 13 and 21. In response, the examiner respectfully submits that the applicant's argument based on the dependent claims is not persuasive; therefore, the response is mooting the ground of rejection of amended independent claims 1, 13 and 21 as explained in greater details above.

The applicant argues with respect to claim 9, Suzuki at column 5, lines 15-33 fails to teach a user ID registered as the user of a device before the device is transferred to a clock state. In response, the examiner respectfully disagrees because Suzuki at column 5, lines 15-33, disclosing before the user wants to register their desired points of the selected password image, they must submit or show their ID/user ID to the security person in order to register for locking their own electronic display device.

The applicant argues with respect to claim 8 as claimed in claim 1, "wherein the predetermined parameter is a date or a day of a week." In response, the examiner finds that Suzuki at *col. 5, lines 48-49, and col. 8, lines 33-40. disclosing* the password image

including display positions and display size updates and changes periodically time

during a day of the week. Accordingly, every day, every week, or every month

corresponding to the predetermined parameter as recited in claim 8. It would have been

obvious to a person of ordinary skill in the art at the time the invention was made to

update and change the password image. A sensitive data contains in each flash image

that sequentially appears on the screen for a different period of time because this would

be helpful to enhance security, protect identity theft, and prevent unauthorized access to

data and applications (col. 8, lines 32-40).

For these reasons, the rejections based on Suzuki have been maintained.

Conclusion

24.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

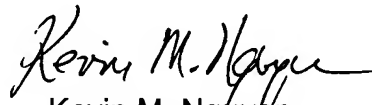policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KEVIN M. NGUYEN whose telephone number is 571-272-7697. The examiner can normally be reached on MON-THU from 8:00-6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, a supervisor RICHARD A. HJERPE can be reached on 571-272-7691. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the Patent Application Information Retrieval system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kevin M. Nguyen
Patent Examiner
Art Unit 2629

KMN
March 15, 2007